

## Message Text

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PAGE 01 USUN N 03610 040519Z

13

ACTION L-03

INFO OCT-01 IO-15 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SPC-03 SS-15

USIA-15 ACDA-19 AF-10 ARA-16 EA-11 EUR-25 NEA-10 SY-10

USSH-00 CPR-02 DRC-01 /191 W  
----- 009226

P 040406Z OCT 73

FM USMISSION USUN NY

TO SECSTATE WASHDC PRIORITY 9836

AMEMBASSY BONN PRIORITY

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E.O. 11652: N/A

TAGS: PINS,UNGA

SUBJ: UNGA -- LEGAL COMMITTEE -- PROTECTION OF DIPLOMATS

1. WESTERN GROUP HAS BEEN WORKING ON CONSOLIDATING POSITIONS ON WHICH CRIMES AGAINST DIPLOMATS SHOULD BE COVERED IN NEW CONVENTION ON PROTECTION OF DIPLOMATS, BEING DRAFTED IN UNGA LEGAL COMMITTEE. GROUP HAS AGREED THAT ALLEGED OFFENDER MUST KNOW OR HAVE REASON TO KNOW OF THE OFFICIAL STATUS OF VICTIM.

2. AFTER MEETING OCT 3 BRACKLO (FRG) SAID THAT ON BASIS OF REPORT HE RECEIVED OCT 3 ON COUNCIL OF EUROPE MEETING ON THIS SUBJECT (SEE PARA 6(C) OF USUN 3318 FOR USDEL REPORT), HE NOT CERTAIN WHETHER BONN WOULD INSIST THAT THERE ALSO RE REQUIREMENT IN SOME FORM OF OTHER THAT ALLEGED OFFENDER COMMIT CRIME BECAUSE PERSON IN QUESTION A DIPLOMAT (I.E., "MOTIVE"). IN PREVIOUS MEETINGS THIS WEEK, WE HAD UNDERSTOOD FRG TO HAVE GIVEN UP MOTIVE REQUIREMENT, PROVIDED KNOWLEDGE REQUIREMENT RETAINED AND CRIMES IN QUESTION SERIOUS ONES. FYI: TEXT WESTERN GROUP NOW SUPPORTING CLEARLY DIRECTED ONLY AT SERIOUS ATTACKS ON DIPLOMATS.

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PAGE 02 USUN N 03610 040519Z

END FYI.

3. BRACKLO ACKNOWLEDGED PERSONALLY THAT INCLUSION OF THIS NOTION OF MOTIVE WOULD SERIOUSLY DEMINISH CHANCES OF ADOPTING CONVENTION SINCE IT WOULD LEAD AFRO-ASIANS TO RAISE NATIONAL LIBERATION AS MOTIVE WHICH SHOULD BE GROUNDS FOR NON-APPLICATION OF CONVENTION. HE ALSO AGREED THAT PROBLEMS OF ENFORCEMENT OF CONVENTION CONTAINING MOTIVE REQUIREMENT WOULD BE CONSIDERABLE.

4. WE SUGGEST AMEMBASSY REITERATE OUR CONCERN THAT CONVENTION OF PROTECTION OF DIPLOMATS NOT BE ENCUMBERED BY ANY NOTION OF MOTIVE. BRACKLO KEPT SILENT DURING MEETING AND INFORMED US OF HIS CONCERN ON CONFIDENTIAL BASIS. FACT THAT ISSUE WILL COME UP AGAIN P.M. OF OCT 5 AND EARLIER FRG INSISTENCE ON INCLUDING MOTIVE ASPECT SHOULD BE BASIS FOR APPROACH. SCALI

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, AGREEMENT DRAFT, CRIMES, COMMITTEE MEETINGS, POLICE PROTECTION RIGHTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 04 OCT 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** garlanwa  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
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**Disposition Reason:**  
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**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
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**Review Authority:** garlanwa  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 04 OCT 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <04-Oct-2001 by smithrj>; APPROVED <10-Dec-2001 by garlanwa>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
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**Status:** NATIVE  
**Subject:** UNGA -- LEGAL COMMITTEE -- PROTECTION OF DIPLOMATS  
**TAGS:** PINS, UNGA  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005